

REMARKS

The examiner rejected all of the claims with the exception of claims 11, 12, 15, 16, 18 and 26-29. The rejections are over a combination of Zhang in view of Sauer, and to some extent also in view of Arai, as set forth in the office action.

To begin, the Applicants are proposing minor amendments to claims 10, 12, 14 and 16 to resolve a possible 112 problem. Claim 21 recites “mirrored surface”, not “mirror.” It is thought that these amendments thus place the claims in allowable condition without altering the substance of the claims. The amendments should thus be entered.

The present application has an earlier effective filing date than the Sauer publication. Accordingly, Sauer cannot be used as a 102(e) reference. See MPEP section 706.02(f)(1), example 2.

Sauer is a published patent application that was filed on September 17, 2001, with a priority claim to provisional application 60/238,253 filed on October 5, 2000. However, the Examiner has relied upon the Sauer publication itself, which has an effective date of September 17, 2001; the Examiner has not cited or relied upon the Sauer priority Provisional application. Accordingly, the effective date of the Sauer publication under 102(e) is September 17, 2001. The present application was filed on August 9, 2001. As the present application was filed before the effective date of the Sauer publication, Sauer may not be used under 102(e) as a reference against the subject application.

Even if the Examiner were to attempt to reach back and rely upon the Provisional application cited in Sauer, Sauer still cannot be an appropriate 102(e) reference. The present application claims priority of Provisional application 60/225,343, filed on August 15, 2000, which is before the September 2000 filing date of Sauer’s priority Provisional application. The

independent claims of the present application are each supported by the disclosure of the Provisional application on which priority is claimed. Accordingly, the present Applicants have an effective filing date (August 2000) that is earlier than any possible effective date of the Sauer reference (September 2000). Sauer may thus not properly be used to reject the claims under any scenario. As each of the rejections relies upon Sauer, the rejections must be withdrawn. All of the claims are thus allowable.

Accordingly, all of the claims are allowable. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned in Westborough, Massachusetts at (508) 898-1818.

Very Truly Yours,



Brian M. Dingman
Reg. No. 32,729